

Solicitation Number: 05-0001-28

Support Service for the Office of Naval Research for the Future Naval Capabilities Program

The statement of work, order information, proposal submission requirements, and evaluation information are set forth below. Proposals from holders of ONR Multiple Award Contracts (MATOC) for support services under CLIN 0001 – Technical Engineering Services are due by 2:00 PM (local), July 8, 2005.

1.0 Background

The Future Naval Capabilities (FNC) Program at ONR represents the delivery-oriented portion of the Navy's Science and Technology (S&T) investment. Technologies developed under the FNC program transition to acquisition program offices within a five-year period. The Director of Transition (ONR 03T) manages the FNC Program. All FNC Program investments are subject to oversight by the Navy's Technology Oversight Group (TOG), which prioritizes requirements and approves the FNC program plan.

2.0 Statement of Work

2.1 Objective

The Director of Transition requires FNC support services to manage and administer the FNC program. As the primary delivery-oriented S&T program at ONR, the delivery and transition of high priority enabling capabilities are critical to the closure of warfighting capability gaps. The FNC Program requires ONR to conduct extensive liaison with the requirements, acquisition, and fleet/force communities and to vigilantly monitor its S&T delivery commitments. FNC program execution is managed at a detailed technical level for cost and schedule risk to ensure S&T deliverables meet required Technology Readiness Levels. The objective of FNC Support Services is to provide the Director of Transition with a flexible, senior management support team capable of supporting all aspects of FNC Program Management.

2.2 Scope

FNC support services include all aspects of managing the FNC Program. The program is highly dynamic and support services must accommodate a continuous pattern of changing priorities across the full breadth of acquisition and technology management disciplines. The range of support services encompasses tasks that range from complex planning, policy and programmatic support actions that require frequent interaction with flag and SES managers to the development and maintenance of detailed budget documentation to the preparation and delivery of simple tracking lists. Support services are rendered in a team environment where no task is considered too difficult or too trivial and ensuring FNC Program excellence is considered the top priority.

2.3 Technical Tasks/Requirements

FNC support tasks shall include, but not be limited to:

- Product Execution Oversight This task includes the preparation of Monthly Reporting Guidance, Monthly Report reviews, the scheduling and conduct of monthly FNC Status Meetings, and detailed interaction with the FNC Leaders and Enabling Capability (EC) Managers to resolve technical issues and cost/schedule variances.
- Business Plans and FNC Database Maintenance. This task includes the preparation of annual FNC Business Planning Guidance, the review of annual and quarterly updates to FNC Business Plans, and

maintenance of a detailed FNC database/website containing detailed information for the entire FNC Program down to the individual product level.

- Staff Liaison to FNC Execution Teams. This task requires regular interface with all FNC execution teams to disseminate information, explain FNC Program guidance and requirements and resolve specific issues related to the technical management of approved or planned FNC program investments.
- Budget/POR Development Maintenance. This task requires the development of an annual FNC budget and the maintenance of detailed budgetary documentation, including the TOG approved Program of Record (POR) and planned/programmed new starts. It includes configuration management of financial quad charts for all FNC ECs and liaison with all technical departments, ONR financial analysts, and N091 resource sponsor representatives for FNC Program budget issues, fiscal guidance and R-2 exhibit preparation.
- Training Support. This task requires the development, maintenance and conduct of informal training courses for new FNC/EC Managers and formal training courses for the Science and Technology Manager course series (STM 301 and 302) at the Defense Acquisition University.
- Policy Guidance Development. This task requires the development of new policy guidance for the administration and management of the FNC Program on as required basis as necessitated by changes to the Navy's FNC Management process. It can include items such as FNC Business Rules, IPT Charters, Technology Transition Agreement (TTA) guidance and Internal Management Controls.
- Preparation of Special Purpose FNC Program Briefings. This task requires the preparation of FNC Program briefings for a variety of purposes such as program overview briefings for external organizations, foreign navies, and congressional committees, budget briefings for the OSD and Navy Comptrollers offices, and special purpose briefings as required by Management.
- Analyses and Data Calls. This task requires database extractions and analysis for special purpose inquiries, usually in response to external DoD/Navy requests. It can include items such as mapping individual FNC Product investments to varying requirements sets, assembling statistics on FNC Program transition plans and accomplishments, analyzing budget trends, and preparing various charts and summary documentation.
- Sea Trial Liaison. The task requires interface with Naval Warfare Development Center (NWDC) managers to exchange FNC planning information, arrange technical meetings, and support the data input requirements of the Sea Trial Information Management System (STIMS) for FNC technologies that will be tested during Sea Trial events.
- Meeting Coordination. This task involves scheduling and overall management of the audio/visual and administrative support requirements of FNC Program Meetings. These meetings include, but are not limited to, annual CNR program reviews, annual EC new start technical review meetings, bimonthly FNC Leaders Meetings, monthly FNC status meetings, as scheduled FNC TOG Working Group Meetings, and as required FNC IPT Meetings.
- External Information Liaison. This task involves serving as the general point of contact and clearing house for dissemination FNC Program information to external organizations. Information requests must be tracked, management permissions obtained, and data released according to approved guidelines.
- Quick Reaction Tasking. This task involves responding to senior Management inquiries and demands for information on an urgent basis that requires high priority, rapid response reactions. These types of tasks usually come without warning and can require unplanned additions to workloads.
- Special Assignments. Special assignment tasks involve unplanned but manageable additions to the workload. These tasks can include such items as preparation of special purpose Memoranda of Agreement, IG Assessments, and alternative functional workload assessments.
- Contact List Maintenance. This task involves the preparation and maintenance of various FNC Point-of-Contact lists, including, EC Managers, Product Managers, IPT Members, etc.

2.4 Reports, Data and Other Deliverables

All documentation, including but not limited to, FNC Monthly Reports, Business Plans, budget documentation, charter documents, briefings, web site postings, database information, contact lists, etc. shall be maintained electronically and made available for continuous review after submission within the controlled access FNC Management storage location on the ONR intranet.

3.0 Personnel Requirements

3.1 Personnel Qualifications

The Contractor shall provide qualified personnel to manage and execute all aspects of the statement of work. The following skill sets are anticipated to support the tasks:

3.1.1 All personnel must be thoroughly familiar and proficient in the use of commercial software packages such as Microsoft Word, Project, Excel and PowerPoint.

3.1.2 Senior Program Manager: A Graduate degree from an accredited college or university and eight years of management experience in a related S&T discipline. Ability to develop and execute complex technical tasks, to apply analytical problem solving methodologies, to provide technical direction to support staff, to interface with Government and prime contractor personnel and to effectively allocate resources. Specialized experience in or related to technical areas in support of the Future Naval Capabilities program. Experience in the integration of S&T programs across multi- Naval and DoD organizations. The candidate should have experience in coordination of acquisition sponsor and operational user involvement and endorsement.

3.1.3 Program Manager: At least a Bachelor's degree from an accredited college or university and 5 years of S&T or related DoD program management experience. The candidate should have skills in the management of people, funds, resources in the context of program, financial, personnel and procurement policies. The position requires knowledge and experience in S&T management, planning, policy development, and execution, including broad insight into national, DoD, DoN, and ONR problems and programs. Specialized experience in or related to technical areas in support of the Future Naval Capabilities program. The candidate should have the ability to generate new concepts and approaches to plan, evaluate, and lead major, long-range programs designed to stimulate significant advances in S&T.

3.1.4 Senior Systems Analyst: A Graduate degree from an accredited college or university with at least five years experience in a related S&T discipline. Demonstrates an ability to apply expert practices and procedures within the specified subject area, accomplish complex analyses, provide professional findings of technical analysis in the form of reports and presentations, and execute complex tasks. A knowledge of the Future Capabilities program, and experience in the management, planning and execution of the program.

3.1.5 Business Specialist: At least a Bachelor's degree from an accredited college or university and 10 years of experience in finance, auditing and budgeting. The candidate should have excellent skills in cost estimating, maintenance and configuration control of the Navy's Future Capabilities Program financial and budgetary documentation. Candidate should have demonstrated competence in budget formulation and program execution. The candidate should have the ability to effectively communicate in writing, and in the development of budget/financial documentation, and have knowledge of monthly cost reporting.

3.2 Level of Effort

3.2.1 The period of performance shall be as follows: a 24-month base period and three 12-month options periods has been estimated for the proposed contract.

3.2.2 Base Period: The base period of performance will be from 16 Jul 2005 through 15 Jul 2007. The level of effort anticipated for this period is approximately eight man-years at an average rate of approximately 8,320 hours per year. A summary of the labor categories and the total anticipated annual hours for this effort is provided below.

Labor Category	Hours Per Year	Total Hours (24 months)
Senior Program Manager	2080	4160
Program Manager	2080	4160
Senior Systems Analyst	2080	4160
Business Specialist	2080	4160
Total	8,320 Hours	16,640 Hours

NOTE: 2080 hours is equivalent to one (1) man-year

3.2.3 First Option Period: The base period of performance will be from 16 Jul 2007 through 15 Jul 2008. The level of effort anticipated for this period is approximately four man-years at an average rate of approximately 8,320 hours per year. A summary of the labor categories and the total anticipated annual hours for this effort is provided below.

Labor Category	Hours Per Year
Senior Program Manager	2080
Program Manager	2080
Senior Systems Analyst	2080
Business Specialist	2080
Total	8,320 Hours

NOTE: 2080 hours is equivalent to one (1) man-year

3.2.4 Second Option Period: The base period of performance will be from 16 Jul 2008 through 15 Jul 2009. The level of effort anticipated for this period is approximately four man-years at an average rate of approximately 8,320 hours per year. A summary of the labor categories and the total anticipated annual hours for this effort is provided below.

Labor Category	Hours Per Year
Senior Program Manager	2080
Program Manager	2080
Senior Systems Analyst	2080
Business Specialist	2080
Total	8,320 Hours

3.2.5 Third Option Period: The base period of performance will be from 16 Jul 2009 through 15 Jul 2010. The level of effort anticipated for this period is approximately four man-years at an average rate of approximately 8,320 hours per year. A summary of the labor categories and the total anticipated annual hours for this effort is provided below.

Labor Category	Hours Per Year
Senior Program Manager	2080
Program Manager	2080
Senior Systems Analyst	2080
Business Specialist	2080
Total	8,320 Hours

3.2.6 The above labor categories and hours are provided as the Government's best estimate of the work to be performed. The offeror may propose the same level of effort (hours and labor categories) or a different level of effort based on its own labor classification system and unique approach to satisfy the Government's requirement. While the Government will consider an alternate level of effort, it is the Government's preference to maximize the estimated labor hours devoted to the direct performance of the technical tasks. To the extent that the level of effort proposed is different than the Government's estimate, the offeror's technical proposal should clearly specify the hours and labor categories proposed for each task in the statement of work.

4.0 Order Details

4.1 Contract Type: The Navy anticipates awarding a cost plus fixed fee level of effort task order.

4.2 Period of Performance: Two-year Base with 3 one-year options

4.3 Other Direct Costs (ODCs)

ODCs (including travel, supplies, etc.) will be reimbursed at cost plus G&A without profit or fee. Purchases of items (other than consumable materials or supplies) exceeding \$2,500 and all travel must be approved in advance by the Contracting Officer's Representative (COR). The total Travel/ODC amount is not to exceed 20,000 per year.

This NTE amount should be proposed and included as part of the cost total (without profit or fee) in every proposal submitted under this solicitation.

4.3.1 Travel and Per Diem - Travel will be required to support this Statement of Work. In accordance with the contract requirements, direct costs associated with the Contractor's travel should not exceed the applicable rates found in the Joint Travel Regulations (JTR). All travel arrangements under the Contractor's responsibility include: clearance requests, hotel accommodations, travel orders, and visa/passport requirements, unless otherwise stated by the Government sponsor.

4.3.2 Other Direct Costs (Other than Travel and Per Diem) - ODCs may be required to fully support this task requirement. At this time, the specific items cannot be identified; however the ODC and Travel cost total cannot exceed the NTE amount stated in Section 4.3. Contractor should propose and estimate the cost of all ODCs required to accomplish the required tasks.

4.4 Place of Performance: Work will normally be performed at the Office of Naval Research.

4.5 Government Furnished Resources (GFR): The Government will provide information, material and forms unique to the Government for supporting the task. The Government furnished resources necessary to perform the statement of work should be identified and requested through the designated Contracting Officer Representative (COR).

4.5.1 Facilities, Supplies and Services: Basic facilities such as work space and its associated operating requirements (i.e., phones, desks, and utilities) will be provided while working in Government facilities. The availability of any required computer resources while working in Government facilities should be verified in advance with the designated Contracting Officer Representative (COR).

4.5.2 Information: All Government unique information related to this requirement necessary for Contractor performance will be made available to the Contractor. The Contracting Officer Representative (COR) will be the point of contact for identification of any required information to be supplied by the Government.

4.5.3 Documentation: All existing documentation relevant to this task's accomplishment will be made available to the contractor at the beginning of the task. The Contractor will be required to prepare documentation in accordance with defined guidelines provided by the Government.

4.5.4 Equipment: With the exception to the basic facility terms items noted in Subsection 4.5.1, and in accordance with the general guidance in FAR Part 45.102, Contractors are required to furnish all property necessary to perform on Government contracts or orders. PCs should not be proposed as a direct charge under this solicitation. For security purposes, computers may be required to be authorized and approved for use by ONR.

Contractors may be required to obtain one or more Navy Marine Corps Intranet (NMCI) seats to perform the Task Order Statement of Work. ONR currently plans to formally transition to NMCI on or about 1 OCT 2005. During the performance of the Order, if either party (Government or Contractor) identifies a requirement for the Contractor to obtain an NMCI seat to perform its duties, ONR officials will work with the Contractor to obtain an NMCI seat in a timely manner and, if necessary, will pursue a mutually satisfactory agreement in regards to any formal modifications or changes to the scope, structure or dollar values of the Order as a result of the emerging NMCI requirements. General information regarding NMCI can be obtained at: <http://www.nmci-eds.com/index.asp>.

4.6 Subcontracts/Consultants: Contractor may request, on a case-by-case basis, subcontract/consultant support for specific technical tasks.

4.7 Security Requirements:

a) Clearance Requirements. During the performance of the effort under this effort, the Contractor may be required to have access to, and may be required to receive and generate classified to the level of SECRET. For personnel, a minimum of a SECRET clearance is required. A DD Form 254 will be required prior to access or production of any classified information. Additionally, Contractor is required to safeguard the information labeled as proprietary.

b) Privacy Act. All Contractor personnel assigned to this task will have access to information that may be subject to the Privacy Act of 1974. The Contractor is required to ensure the proper safeguarding of such information to prevent unauthorized release.

c) Nondisclosure Agreement. In the course of its work, the Contractor will be required to execute Nondisclosure Agreements (NDAs) as outlined in Section 5.2.1 of this solicitation.

4.8 Organizational Conflict of Interest:

4.8.1 Safeguarding Information

The parties acknowledge that, during performance of the contract resulting from this Order solicitation, the Contractor may require access to certain proprietary and confidential information (whether in its original or derived form) submitted to or produced by the Government. Such information includes, but is not limited to, business practices, proposals, designs, mission or operation concepts, sketches, management policies, cost and operating expense, technical data and trade secrets, proposed Navy budgetary information, and acquisition planning or acquisition actions, obtained either directly or indirectly as a result of the effort performed on behalf of ONR. The Contractor shall take appropriate steps to not only safeguard such information, but also to prevent disclosure of such information to any party other than the Government. The Contractor agrees to indoctrinate company personnel who will have access to or custody of the information concerning the nature of the confidential terms under which the Government received such information and shall stress that the information shall not be disclosed to any other party or to Contractor personnel who do not need to know the contents thereof for the performance of the contract. Contractor personnel shall also be informed that they shall not engage in any other action, venture, or employment wherein this information will be used for any purpose by any other party.

4.8.2 Organization Restrictions

Support contractor's knowledge of competition sensitive information, described in paragraph (a) above, may unfairly affect its competitive position in future ONR research solicitations. The Contractor understands that, during performance of the contract resulting from this Order solicitation and for a period of up to two years after the completion of its performance of the contract, the Contractor, any affiliate of the Contractor, any joint venture involving the Contractor, any entity into or with which the Contractor may merge or affiliate, or any other successor or assign of the Contractor may not be eligible to participate as a prime Contractor, subcontractor, consultant, joint venture, partner, or other agreements directly impacted by the FNC program.

5.0 Proposal Requirements

5.1 Proposal Format: The Offeror's proposal must be divided into two sections: (1) Technical Proposal, and (2) Cost Proposal. Information for the technical portion shall be a separate and segregable document from the cost proposal. No cost information should be included in the technical section. The length of the technical proposal shall not exceed ten (10) pages, exclusive of resumes. There are no page limits on the number of resumes or the pages of the cost proposal. The proposal should be written and organized to be compatible with the Statement of Work, company's organization and accounting structure, and proposed cost.

(a) Technical Proposal: The technical proposal should include the following: The Offeror's understanding of and approach to the requirement, resumes of proposed personnel, and the amount of proposed hours for personnel. The Offeror should describe specifically how the work activities required to complete the tasks in the statement of work will be done. The Offeror should explain how technical objectives, tasks and deadlines will be determined; how staff responsibilities will be assigned; whether consultants and/or subcontractors will be utilized; how the quality and timeliness of work performance will be supervised and controlled; how the Offeror will coordinate with the program office; how a surge capacity will be maintained to meet unanticipated requirements; and how administrative tasks such as travel, security and resource requests will be handled.

The Offeror should include information relative to previous efforts for the same or similar services provided in the past to include contract numbers and Government points of contact where applicable.

The Offeror should explain what corporate facilities are available and would be used in support of the work including computer resources, publication/media materials and equipment where appropriate. The proposal should acknowledge that the contractor will provide the appropriate IT/telecommunications equipment for the proposed personnel for this task order.

(b) **Cost Proposal:** The Contractor should submit a cost proposal that itemizes the following proposed costs (as applicable): direct labor (including each labor category with associated proposed hours and hourly rate), fringe benefits, labor overhead, consultants, subcontracts, subcontractor/consultant handling charges, G&A, cost of money, fixed fee and any other relevant cost categories. The Offeror should also include the estimated Travel and ODC amounts set forth in the “Other Direct Costs” section of the solicitation as part of its proposed costs. The base calculation and rates must be provided for all indirect cost items. Subcontract cost information containing the same type of details described above for the prime must be provided either with the proposal (it can be submitted in a sealed envelope) or mailed separately before the solicitation due date and time.

If available and applicable, the Contractor should also provide its Defense Contract Audit Agency (DCAA) point of contact, including the Branch Office name, auditor name, phone number and e-mail address.

5.2 Other Required Documents: In addition to the Technical and Cost Proposals, a Contractor shall also complete the following:

5.2.1 Non-Disclosure Agreement. Each employee of the successful offeror will be required to sign a Non-Disclosure Agreement (NDA) prior to commencing work under this Order. The supervisor/manager of the proposed personnel will also be required to sign the NDA on behalf of the Contractor. Attachment A is the NDA that shall be used at the commencement of this order.

5.3 Proposal Submission: The due date for submission of proposals for this solicitation is 2:00 PM (local time) on July 8, 2005. All forms of proposal submission must include a signed cover sheet. Proposals can be:

(a) Uploaded electronically via the “Upload Proposals” hyperlink, which is under the hyperlink for this solicitation on ONR’s MATOC website (Note: this site restricts the formats of uploaded documents to those in MS Word, MS Excel, or Adobe PDF)

(b) Sent by regular mail (express mail acceptable) or hand delivered. The original and two copies must arrive by the above deadline at the following address:

Office of Naval Research
Attention: John T. McCain, ONR 253
875 North Randolph Street, Suite 1425
Arlington, VA 22203-1995
Ref: Solicitation 05-0001-28

6.0 Evaluation Information

6.1 Evaluation Criteria: A Task Order will be awarded to the responsible offeror whose offer represents the best value to the Government. In order to determine which offeror represents the best overall value, offers for individual task orders will be evaluated on the following technical factors and subfactors:

- (1) Proposed personnel
- (2) Management Plan and Technical Approach
- (3) Past performance on earlier tasks under this and similar contracts:
 - (a) Quality of deliverables
 - (b) Cost control
- (4) Corporate Facilities

Factor 1 is of the greatest weight; factors 2 through 3 are equally weighted. Factor 4 is of less value than all other factors. These four technical factors are substantially more important than cost. Although cost is substantially less important than all of the technical factors combined, it will not be ignored. The degree of its importance will increase with the degree of equality of the task order proposals in relation to the other factors on which selection is to be based, or when the cost is so significantly high as to diminish the value of the technical superiority to the Government.

In evaluating past performance on individual orders, the procedural requirements in FAR 42.15 are not mandatory. Past performance will be based on the Government's subjective evaluation of the Contractor's performance with previous orders, if any, under this contract and similar contracts. For Factor 3, the subfactor (a) Quality of Deliverables, is more important than subfactor (b) Cost Control.

6.2. Award: The Government will award a task order to the responsible Offeror whose offer conforming to the solicitation will be most advantageous to the Government, cost and other factors considered. The anticipated award date of this order is on or before 16 July 05. The anticipated start date for this order is 16 July 05.

7.0 Submission of Questions: Any questions regarding this solicitation must be provided in writing to the Point of Contact listed below. Acceptable forms of written question submission include fax and e-mail. Questions submitted less than 72 hours prior to the closing date for proposals may not be answered and the due date for submission of proposals may not be extended. All potential offers will be provided e-mail noting the posting of any Questions/Answers.

8.0 Solicitation Amendments: Any amendments to this solicitation will be posted along with the solicitation on the ONR website. An e-mail notice will be sent to all potential Offerors at the time the amendment is posted. It is the Offeror's responsibility to regularly check for e-mail notices and the posting of solicitations/amendments.

9.0 Point of Contact: The Point of Contact for this solicitation is John T. McCain, Contracting Officer, ONR 253. Telephone (703) 696-0975, E-mail mccainj@onr.navy.mil, Fax (703) 696-3365.

Disclosure Agreement Regarding Contractor Support for the Office of Naval Research

The undersigned individual, _____, agrees, both in his personal capacity and as an employee of _____ as follows:

BACKGROUND

1. The mission of the Office of Naval Research is to plan, foster, and encourage scientific research and technology development in recognition of their paramount importance in the maintenance of future naval power and the preservation of national security. ONR provides for the continuing technological superiority of U.S. naval forces, by providing the Department of the Navy (DoN) with mission-relevant, affordable new capabilities that create and exploit scientific breakthroughs, respond to fleet requirements, and support strategic U.S. industries. ONR requires contractor technical services and research support in order to meet these requirements. The services/support that may be provided to ONR by contractor personnel include but are not limited to the following:
 - i. Assist ONR personnel in overall technical program management support on matters and issues consistent with ONR sponsored development projects, including assisting in the evaluation of white papers, proposals, program/project planning, investment reviews, technology assessments, data analyses, conference and seminar activities, and financial issues.
 - ii. Provide support in the financial execution of ONR programs. Monitor availability and use of funds. Review financial documents and plans for impact on program objectives and requirements. Prepare internal financial notices, instructions, guidelines and reports. Conduct analyses and provide reports that identify, quantify and evaluate financial execution of accounts and accomplishment of program goals and milestones. Coordinate preparation and review of actual and projected funding estimates, justifications and strategies. Identify deficiencies, excesses, trends and imbalances to assure funds availability. Work with program personnel to expedite financial execution and ensure programmatic benchmarks are met.
 - iii. Draft analyses, presentations, notes, assessments, testimonies, speeches, and other materials on various technical/management topics, as requested, for use by ONR personnel with other internal ONR departments and externally with the Navy staff, Department of Defense, other federal and state agencies and the U.S. Congress.
 - iv. Provide assistance in the areas of information technology to include database design and maintenance, software development, graphics and reproduction, and other allowable materials and services.
 - v. Provide administrative and management support in the execution of ONR programs to include the preparation of official documents and files for execution by Government employees.
 - vi. Provide support on technical, programmatic and operational matters pertaining to the diverse array of technologies investigated and supported by ONR.

2. The undersigned individual is serving as contractor support for ONR. As such, he has and will continue to come into contact with proprietary technical and commercial information. He likewise will have access to sensitive internal information developed by or on behalf of the Government in connection with the accomplishment of ONR's mission.

AGREEMENT

1. The undersigned individual agrees that he will not disclose to any individual, company, or Government Representative¹ any information² relating to current or proposed Navy budgetary information, acquisition planning or acquisition actions, obtained either directly or indirectly as a result of the effort performed on behalf of ONR. The undersigned individual agrees that he will promptly notify the ONR Office of Counsel of any attempt by an individual (including any contractor personnel), company or Government Representative to gain unauthorized access to such information, and of any disclosure of such information to unauthorized parties. Such notification shall include the name and organization, if available, of the individual, company or Government Representative seeking access to such information.
2. The undersigned and his employer acknowledge that the owner of any proprietary information improperly disclosed stands as an intended third-party beneficiary of this non-disclosure agreement. In the event of an unauthorized disclosure of proprietary information, the owner of the information may seek legal recovery under this non-disclosure agreement, even though the information owner is not a formal party to the agreement.

FOR THESE REASONS the undersigned individual agrees on his own behalf, and his employer likewise concurs, to protect, respect and not disclose the proprietary information and Government mission- and procurement-sensitive information that may come to their attention as part of the contract assistance provided to ONR.

Employee Signature _____

Printed Name _____

Date _____

Concurrence by the employer:

Supervisor/Manager Signature _____

Printed Name _____

Date _____

¹ Government Representative is defined as any Government employee, either military or civilian, not assigned to the activity or program office for which the effort is being performed.

² This information includes, but is not limited to, contractor proposals, proprietary data and commercial information, reports and other information in the Government's possession, including information contained in contracts/grants/agreements and associated records and files